

1.0 No Comment.

2.0 No Comment.

3.0

In the absence of reliable sampling data to the contrary, all waste streams generated as the result of the fire incident are presumed to be hazardous waste, as would any waste stream that has come in contact or comingled with a hazardous waste.

Materials recovered from the impacted areas must be identified and waste determination performed consistent with applicable state, local, and federal regulations. This includes, but may not be limited to, soils, scrap, wipes, sorbents, water, and hazardous materials deposited on land, solid surfaces, and water bodies through aerial dispersion of incompletely combusted substances.

Due to the nature of the incident and the commodities stored onsite before the incident and utilized in response to the incident, all materials recovered from the impacted areas will be identified and properly characterized through a combination of generator knowledge and review of analytical data from a well-developed and implemented sampling strategy. For the purposes of this plan, all wastes generated during response activities, including any waste which comes into contact with or co-mingles with hazardous waste, will be presumed to be hazardous, until which time sampling and characterization warrants otherwise.

Waste likely to be generated during the response includes, but is not limited to: soils, scrap, wipes, sorbents, water, and hazardous materials deposited on land, solid surfaces, and water bodies through aerial dispersion of incompletely combusted substances.

4.0

In addition to known wastes, the Plan must address unknown materials generated from uncontrolled and incomplete combustion, which require quantitative analysis for additional potentially hazardous species. In addition to using generator knowledge, waste determinations conducted for the solid waste soil must also include sampling analytical results consistent with the nature of the incident.

Waste Classification rules are found in 30 TAC 335 Subchapter R. Refer to RG-022 (Guidelines for the Classification and Coding of Industrial and Hazardous Wastes), which covers process knowledge, analytical testing, and documentation requirements. Subchapter R may be reviewed at: [https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=30&pt=1&ch=335&sch=R&rl=Y](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=30&pt=1&ch=335&sch=R&rl=Y). RG-022 is attached, for reference.

All waste streams, known and unknown, will be classified using the Waste Classification rules in 30 TAC 335.501-521 Subchapter R. All sampling conducted will have the results attached to the waste determination form, along with the SDSs, and any documentation of generator knowledge.

4.1

The Plan must follow EPA/TCEQ sampling protocol. In cases of bulk sampling, the established sampling protocol is not amendable.

One in ten is insufficient. For the size and scope of this incident, and based on the reported wastes contaminated with aromatic solvent residues and partially burnt materials, sampling and analysis must be performed to adequately characterize the chemical composition and variability of concentrations of the hazardous chemicals in the waste. The Plan must follow EPA guidance 530-D-02-002 (August 2002) at https://www.epa.gov/sites/production/files/2015-10/documents/rwsdtg_0.pdf to determine the appropriate frequency of sampling.

Per EPA guidance, in order to establish a statistically reliable quantitation of the sampled material the sampling must adhere to and follow established regulatory guidance.

The Plan must identify the specific constituents/parameters to be sampled and measured along with the reference analytical methods to be used for each sample matrix.

The wastes must also be sampled for polynuclear aromatics (PNAs) and other products of incomplete combustion. Must sample for all VOCs and SVOCs (8260 and 8270) along with all metals both on and off site. Table on page 5 lists TCLP VOC and SVOC, all implies Total. Liquid samples do not undergo the 1311 TCLP extraction process, they are just diluted and analyzed, and the results are total. TCLP implies that analysis will only be conducted for the limited list of toxic organics in 261.24, which do not include any PNAs. PNAs are a subset of the SVOA list. Note that dioxins and furans are common incomplete combustion products.

The Plan must specify any special sampling requirements for, e.g., PFAS, which require specialized container and analytical method. For these and all other sampling and analytical processes, the Plan must list the parameters and container/preservation method, test method, identification, Chain-of-Custody protocol, packaging/shipping/handling requirements, and all other procedures to maintain sample integrity.

Every roll-off box generated from this incident will be representatively sampled **if it is not assumed using generator knowledge to be hazardous waste**. Due to the volatility of the waste materials to be sampled, solid waste will not be composited in the field prior submitting to a laboratory for analysis. Volatile organic compounds (VOCs) will be measured in the field from each of 10 aliquots collected from loaded roll boxes, using a properly calibrated photo-ionization detector (PID). Each aliquot, once collected, will be immediately placed into clean 1-quart sized resealable zipper storage bags, sealed, and allowed to volatilize for 5 minutes prior to measuring VOCs using the PID. The location from which the aliquot with the highest PID reading was recorded will be sampled and submitted to the laboratory for analysis. Each sample will include 2-4oz wide mouth soil jars.

Aliquots from each roll-off box will be collected from all four corners and the approximate center from 2 discrete depths: 0.5-1.0 foot below surface and 1.5-2.0 feet below surface. **Are all 10 aliquots combined into one sample for all but VOA analysis? If not combined, these are not aliquots, they are individual samples. Do not like the bias to the center and corners.**

The chain of custody will be provided by the approved lab and filled out by the person who is sending the samples off for analysis. The samples will be picked up by lab at the location where the samples are being stored.

4.2

Scrap materials, sooty metals, and heat affected materials/alloys will either need to be managed as hazardous wastes or be sampled for hazardous residues.

As stated in Section 3.0, all wastes generated during response activities, including scrap materials, sooty materials and any heat affected materials/alloys, will be presumed to be hazardous, until which time sampling and characterization warrants otherwise.

4.3

The Plan must identify the Quality Assurance standards used for all sampling, analytical, and data processing procedures including all referenced standards.

Sampling will be carried out in conjunction with a well-defined quality assurance (QA) program. The goal of the field QA program is to document that samples are collected without the effects of accidental cross- or systematic contamination and refers to the sampling, analysis, and data validation procedures for generating valid and defensible data. To provide QA for the proposed sampling event, the following sampling, analysis, and data validation procedures will be performed:

1.1. Field Calibration

Electronic instruments used in the field as part of the waste characterization sampling events are anticipated to consist of PIDs, GPS units, digital cameras, and handheld data collection devices such as tablets/smart phones. PIDs will be calibrated daily. Non-electric equipment is not anticipated to require field calibration. Technicians utilizing each piece of equipment are responsible for maintaining (including proper battery charge) and operating this equipment such that it conforms to each respective manufacturer's specifications.

1.2. Field Duplicate Sample

For approximately every ten samples collected in the field, one field duplicate will be collected and submitted for laboratory analyses to verify the reproducibility of the sampling methods. Field duplicates will be prepared by separately submitting an aliquot from the same sample location to the laboratory for analysis consistent with the proscribed analyses. The submitted duplicate will be submitted such that the laboratory is not aware that it is a duplicate (i.e., the sample ID will not identify it as a "duplicate" for any specific sample location). At least one field duplicate will be collected each day that samples are collected.

1.3. Field Split Samples This is not a split, this is a co-located sample, if collected by agency. A split consists of separate aliquots of the same sample.

Field split samples refer to samples collected by the regulatory agency or its designee from the same sampling location and independently submitted to a different laboratory for analysis. Field split samples may be collected at the discretion of representatives of TCEQ or USEPA.

1.4. Laboratory QA

Laboratory quality control procedures will be conducted in a manner consistent with relevant State and federal regulatory guidance (no guidance in regulations. QA guidance is in methods). Deliverables will contain the supporting documentation necessary for data validation. Internal laboratory quality control checks will include method blanks, matrix spikes (and matrix spike duplicates), surrogate samples, calibration standards, and laboratory control standards (LCS are samples, not standards) (LCSs). There are other lab QA analyses not included in this list (instrument blanks, interference check samples, instrument tuning). Better to indicate the QA included/specified in the methods).

1.5. Matrix Spike/Matrix Spike Duplicate Sample

Matrix Spike/Matrix Spike Duplicate (MS/MSD) samples refer to field samples spiked with the analytes of interest prior to being analyzed at the laboratory to gauge the quality of analysis. Approximately one in twenty samples will be analyzed as MS/MSD samples.

1.6. Data Validation

Validation of the data generated by the laboratory performing the analyses will include at a minimum sample holding times, accuracy, precision, contamination of field generated or laboratory method blanks, and surrogate compound recovery (Validation is the comparison of the QA results to the acceptance criteria, either from the method or generated by the laboratory. Validation may indicate indicate bias in the results reported by the laboratory). Accuracy will be determined by evaluating LCS and MS recovery (Organic analysis accuracy is primarily evaluated on each sample based on the surrogate recoveries. LCS and MS are used more for metals. For organics, they are used to show lab capability). Precision will be determined by evaluating laboratory and field duplicate samples. (Two different precision measurements here, lab duplicates for lab precision, field duplicates for sample collection process and homogeneity of the media being sampled.)

NOTE: Need to reference appropriately.

4.4 No Comment.

4.5

The Plan must specify the standards being referenced. Furthermore, all occurrences of “as appropriate,” “as needed,” and similar language throughout the Plan must clearly establish the criteria used to define the conditions under which it is appropriate not to apply the standards.

All standards will be referenced in section 4.1, and all occurrences of “as appropriate” or otherwise have been specified and/or removed from the Plan.

4.6 No Comment.

5.0

Aromatic organics are partially water soluble; these liquid wastes must be sampled and characterized for volatile aromatic organics to be adequately classified in accordance with 30 TAC 335 Subchapter R.

Sampling and characterization has been updated and can be found in section 4.1.

6.0

Based on available information to date and a review of the waste characterization proposal, wastewater treatment using ITC’s onsite facilities is not a suitable option. Refer to Waste characterization rules found in 30 TAC 335 Subchapter R (Waste Classification).

The onsite WWTP has been removed from any portion of this Plan.

The waste must be classified via a waste determination. A profile is not a waste determination.

This has been added to the table in section 6.0

If mixing Class 1 and Hazardous Waste, the mixture will be considered hazardous. Some of source material is U listed waste. The Plan must address all applicable requirements for listed hazardous wastes.

The applicable U listed waste (Xylene) is listed solely for ignitability. All waste will be treated as hazardous until such a time that analysis proves otherwise. All the waste will carry, at minimum, a D018 for Benzene until shows that it is below the regulatory limit.

Samples must be collected, preserved, handled, and analyzed using United States Environmental Protection Agency (EPA)-approved procedure in order to be accepted by the TCEQ. EPA-prescribed collection, preservation, handling, and analytical methods are listed in EPA publication SW-846, Test Methods for Evaluating Solid Waste. SW-846 can be found here: <https://www.epa.gov/hw-sw846>.

The approved testing, preservation, and handling methods have been added to a table in section 4.1.

7.0

The Plan must address the temporary storage locations and included a description of their normal purpose and function (i.e., prior to the fire event). If a storage facility is included in the entity’s NOR, the Plan must identify the tank ID and the NOR unit number. The Plan must address closure requirements as required by regulation for any temporary storage locations.

Temporary storage locations have been identified, and submitted to TCEQ via a waste contingency plan. This plan has also been included in a new attachment to the amended document. The onsite storage locations have also been added in a new attachment at end of the document and documented on the facilities NOR. The WMU numbers are 039 for Tank 100-28 and 040 for tank 80-18. The closure requirements will be in accordance with 40 CFR Parts 264/265, Subpart J. Once the WMUs have been properly closed, and documentation has been submitted to TCEQ, the tanks will be returned to product storage service.

If the units are not noted on the NOR, the Plan must describe the process for notifying and obtaining concurrence from the TCEQ Waste Permits Division on existing units that change function and also any areas where temporary units are being managed. Concurrence must be obtained from the TCEQ by the Responsible Party prior to operating any change.

No concurrence will be required.

No hazardous waste generated during and from the incident must be allowed to enter the facility's onsite WWTP. The Plan must describe how this requirement will be met.

All drains leading to the WWTP and outfalls will remain closed, and any liquids contained in those areas will be removed via a vacuum truck and taken to one of the two onsite storage tanks. This is referenced in further detail in section 7.0.

The Plan must require and specify documentation and verification of any materials impacted by the fire to be potentially managed for recycling/reuse. This is inclusive of all materials (e.g., residual content of tanks; debris/metal/concrete; liquids; solids etc.). This determination must be made in compliance with state and federal regulations applicable to solid waste recycling/reuse. Recycling/reuse must meet EPA standards set forth in 40 CFR.

All potentially recyclable material will be properly documented prior to shipment by a BOL or other similar documents. Anything that may have been impacted by the fire and has a residue will have the residue tested for analysis of hazardous constituents before a determination is made.

8.0

The Plan must establish the inspection frequency, scope and applicability of the inspections, materials inspected, etc. Inspections must be in accordance with the applicable sections of 40 CFR 265 Subparts J and I.

A checklist has been created and added to the Plan.

9.0 No Comment.

Attachment A No Comment.

Attachment B No Comment.

Attachment C

The Plan must include complete maps and diagrams of all impacted areas. The proposed plan only appears to address the 2nd 80's tank farm area, drainage ditch along and beyond the north extent of the tank farm, and Tucker Bayou. An area map depicting the extent of the fire, smoke plume, fallout areas, and water bodies and shorelines assessed or to be assessed for impact must be included. The map must be clearly labeled.

A map has been provided and is being edited to include fallout areas, fire extent, shoreline assessments, and smoke plume.

Pertinent to the management of wastes generated as a result of the fire, response, and remedial activities, the Plan must include maps of all locations and areas related to the incident, impact assessment, sampling, staging, temporary storage, facilities involved, and work areas.